

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F053715 Jones v. City of Fresno

The judgment is affirmed. Costs on appeal to Respondent Jones. Ardaiz, P.J.

We concur: Wiseman, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F055295 People v. Callahan

The judgment is affirmed. Ardaiz, P.J.

We concur: Wiseman, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F055653 People v. Ayon

The judgment is affirmed. The trial court is directed to correct the abstract of judgment so that it no longer shows inclusion of a \$50 lab fee pursuant to Health and Safety Code section 11372.5, subdivision (a) within the amount appellant is ordered to pay, and to forward certified copies of same to the appropriate authorities.. Ardaiz, P.J.

We concur: Wiseman, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F056363 People v. Edwards

We direct the trial court to amend the abstract of judgment to reflect the striking (rather than staying) of the prior prison term enhancement in counts 1 and 2; copies of the amended abstract are to be forwarded to the appropriate authorities. In all other respects, the judgment is affirmed. Vartabedian, J.

We concur: Ardaiz, P.J.; Kane, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F058146 D.R. v. The Superior Court of Merced County; Merced Co. Human Services Agency

The petition for extraordinary writ is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F055400 People v. Olivares

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F057957 People v. Stepuch

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F056622 DeGroot v. The Lee Investment Company, LLC et al.

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed. Costs are awarded to respondents.

F056681 People v. Calhoun

The above-entitled case is submitted for decision.

F056089 People v. Contreras

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F056089 People v. Contreras

The matter is remanded with directions to the superior court (1) to correct the clerical errors in the minute order and in the abstract of judgment to show imposition of an aggregate four-year term (the two-year midterm for possession of a controlled substance and two one-year prior- prison-term enhancements) and (2) to send a certified copy of the amended abstract of judgment to each appropriate person. Contreras has no right to be present at those proceedings. Otherwise the judgment is affirmed. Gomes, J.

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We concur: Ardaiz, P.J. ; Wiseman, J.

[CERTIFIED FOR PUBLICATION]

F056064 Hodge et al. v. Guarantee Real Estate et al.

F056101 Hodge et al. v. Guarantee Real Estate et al.

The trial court's order denying the motions for attorney fees under section 2033.420 is reversed. The matter is remanded to the trial court with instructions to determine the amount of reasonable attorney fees incurred by Sherrick and Guarantee that were reasonably attributable to plaintiffs' failure to admit the RFA's regarding punitive damages, after first allowing all parties to submit further evidence on the question of reasonable allocation of attorney fees to those matters. Costs on appeal are awarded to Sherrick and Guarantee. Kane, J.

We concur: Cornell, Acting P.J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F058112 Kim v. Shuler et al.

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F056044 People v. Hernandez

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F056967 Lushmeadows Association, Inc. v. Taggs et al.

F057815

Appellants' motion to consolidate the above-entitled cases is granted.

F056619 In re J.V., a Person Coming Under the Juvenile Court Law

Appellant's petition for rehearing filed herein is denied.

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- F056681** **People v. Calhoun**
 The judgment is affirmed.
 By the Court.
 [NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F057632** **In re N.M. et al., Minors.**
 Appellant's petition for rehearing filed herein is denied.